IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 28th day of September, 2006
Crl. Bail Application No. 897 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Sanjay Mandal @ Sanju
S/o Sri Jitendra Mandal
R/o Village Nirmal Nagar (Ratan Farm No. 1)
P.S. Sitarganj,
District Udham Singh Nagar. ..... Applicant

Versus

State of Uttaranchal ..... Opposite Party

Arising out of Crime No. 1273 of 2006
Under Sections: 304-B of I.P.C. & ¾ Dowry Prohibition Act, 1961.
Police Station: Sitarganj
District: Udham Singh Nagar.

Hon'ble Prafulla C. Pant, J.

Heard Mr. K.S. Bora, learned counsel for the applicant and Mr. Amit Bhatt, learned A.G.A. for the State.

Applicant Sanjay Mandal @ Sanju, who is in jail in connection with crime No. 1273 of 2006, relating to offences punishable under Section 304-B of I.P.C. and 3/4 of the Dowry Prohibition Act, 1961, P.S. Sitarganj, District Udham Singh Nagar, has sought his release on bail.

Applicant is brother-in-law (Dewar) of the deceased. In the First Information Report, though, Smt. Sikha Mandal is said to have died by poisoning her by her husband and his brother, but cause of death could not be ascertained, as reported in the postmortem report. It is not clear from the F.I.R. what was the demand of dowry made by the present applicant.

Without expressing any opinion as to the final merits of the case, in the opinion of this Court, the present applicant deserves bail.

Let the applicant Sanjay Mandal @ Sanju be released on bail on his executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Chief Judicial Magistrate, Udham Singh Nagar.

(Prafulla C. Pant, J.)

Dt. 28.09.2006
H.Negi